

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



**FISCAL NOTE**

**HB 1846 - SB 2065**

February 10, 2018

**SUMMARY OF BILL:** Requires a school and any appropriate local governmental entity to notify parents, guardians, legal custodians, or caregivers of children attending the school, when the school's water sample tests indicate that the lead and copper 90th percentile lead action level has been exceeded.

**ESTIMATED FISCAL IMPACT:**

**Other Fiscal Impact – Mandatory increases in local expenditures for costs associated with proper notification whenever a school is determined to be out of compliance with water testing standards.**

Assumptions:

- Tennessee Code Annotated § 68-221-720 requires individual or public notifications after a public water system confirms that the lead and copper 90th percentile lead action level has been exceeded. The public water system must notify the Commissioner of the Department of Environment of Conservation (TDEC), which may require follow-up action. The Commissioner may also require the manner, form, and frequency of any required notification.
- The proposed legislation requires notification to parents, guardians, legal custodians, or caregivers of children attending a school when water sample tests indicate that the lead and copper 90th percentile lead action level has been exceeded. The notification must be provided by the school and any local governmental entity conducting the test.
- The notification required by the proposed legislation would still be subject to the Commissioner's required manner, form, and frequency as specified under Tenn. Code Ann. § 68-221-720.
- The most common forms of notification are by mail or by ad in a newspaper of general circulation. Regardless of the method, the cost would be incurred by the school board or the school itself, if the school is not a public school.
- The Tennessee Association of Utility Districts notes that public water systems do not routinely take water samples from schools to test for lead.
- Based on responses to the 2017 Local Government Survey conducted by the Fiscal Review Committee, local governments spend an average of \$113 per public notice advertised in a newspaper of general circulation.

- To the extent a school is tested and the test indicates the lead and copper 90th percentile lead action level has been exceeded, then a local school board may be required to notify the public via advertisement in a newspaper of general circulation and incur an a cost of \$113 per notice.

**CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in blue ink that reads "Krista M. Lee". The signature is written in a cursive, flowing style.

Krista M. Lee, Executive Director

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